

## REMARKS

The Official Action of February 13, 2006 has been carefully considered and reconsideration of the application as amended is respectfully requested.

Claims 15 has been amended to remove the basis for the objection appearing at paragraph 1 of the Official Action. Claim 6 has been amended to remove the basis for the rejection appearing at paragraph 3 of the Official Action. The claim as amended is respectfully believed to reflect what one of skill in the art would have understood from the specification as filed.

The claims stand rejected under 35 USC 103(a) as allegedly being unpatentable over the references and combinations of references appearing at paragraphs 5-10 of the Official Action. Applicant respectfully traverses these rejections.

The claimed invention is based at least in part upon the Applicant's discovery of the advantages that may be obtained in a microencapsulated pigment when a cationically polymerizable surface active agent is allowed to ionically adsorb on a pigment particle having an anionic group, and then an anionically polymerizable surface active agent is used to carry out microencapsulation. In particular, the Applicant discovered that, as a result, the encapsulating polymer is fixed firmly on the pigment particle, and a highly controlled structure of microencapsulated pigment is obtained in which anionic

groups are orderly oriented on the encapsulated particle surface. The resultant structure provides excellent dispersion stability and storage stability of the microencapsulated particles. This is discussed in the specification as filed at, for example, page 22 to page 24, line 14; page 26, line 12 to page 35, line 9 and pages 60-61. It is also shown in the Examples in the specification beginning on page 173.

In accordance with this discovery, all claims presently of record recite repeating structural units from **both** a cationically polymerizable surface active agent and from an anionically polymerizable surface active agent respectively. In contrast, none of the primary references cited by the Examiner (Hayashi et al, WO 2001/96483 and Vincent et al) discloses a combination of a cationically polymerizable surface active agent and an anionically polymerizable surface active agent. Hayashi et al do not disclose a polymerizable surface active agent at all. Each of WO 2001/96483 and Vincent et al discloses a polymerizable surface active agent, but neither discloses the use of a cationically polymerizable surface active agent and an anionically polymerizable surface active agent in combination. That is, none of the primary references discloses the claimed microencapsulated pigment prepared from both the cationically polymerizable surface active agent and the anionically polymerizable surface active agent.

The secondary references cited by the Examiner do not supplement the deficiencies in the primary reference. First, Nakamura et al is disqualified as a reference under the provisions of 35 USC 103(c). In this connection, and in

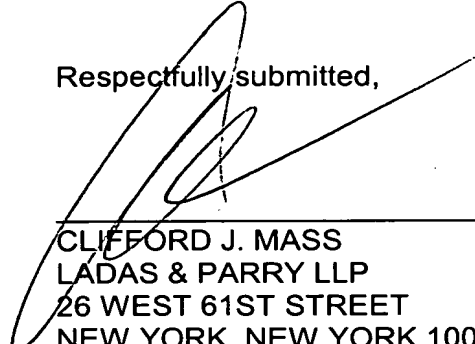
accordance with the provisions of MPEP 706.02(I)(2), the undersigned hereby states on behalf of Applicant as follows:

**"The present application and Nakamura et al US 2003/0195274 were, at the time the invention of the present application was made, owned by the same company, Seiko Epson Corporation."**

With respect to the other cited secondary references, Mishina is cited only as allegedly showing "pigment particles having an anionic group" whereas the other secondary references are cited to show features in the dependent claims only. None of the secondary references can supplement the aforementioned deficiencies in the primary reference whereby the cited combinations of references, even assuming for the sake of argument that the combinations were proper, would not show all features of the claimed invention and would not set forth even a *prima facie* case of obviousness for this reason (see MPEP 706.02(j)). *A fortiori* the cited references do not show or suggest the advantageous effects that can be achieved with the invention as claimed (see discussion above).

In view of the above, Applicant respectfully submits that all rejections and objections of record have been successfully traversed and that the application is now in allowable form. An early notice of allowance is earnestly solicited and is believed to be fully warranted.

Respectfully submitted,



---

CLIFFORD J. MASS  
LADAS & PARRY LLP  
26 WEST 61ST STREET  
NEW YORK, NEW YORK 10023  
REG. NO.30,086 (212)708-1890